

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

A federal court authorized this notice. This is not a solicitation from a lawyer.

- A settlement will provide \$1,700,000 to pay claims to persons or entities whose cell phones Professional Placement Services, LLC (“PPS”) left a “direct-to-voicemail” message in attempting to collect an alleged debt.
- Direct-to voicemail messages are prerecorded voice mails that appear on your cellular telephone, even though you do not see an incoming call. An example of the type of direct-to-voicemail message that is the subject of this case said:

This is Professional Placement Services, calling with a message. This call is from a debt collector. Please call us back at 855-777-0312. Again, that number is 855-777-0312. Thank You.

- Although the total amount depends upon how many class members submit valid claims, we project that valid claimants will receive about \$500.
- The settlement resolves a lawsuit over whether such direct-to-voicemail messages violated the federal Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227, which prohibits calls to cellular telephone numbers using an automatic telephone dialing system or an artificial or prerecorded voice without the recipient’s prior express consent.
- **Your legal rights are affected whether you act or don’t act. Read this notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A VALID CLAIM FORM	Receive a payment.
EXCLUDE YOURSELF	If you ask to be excluded, you will get no payment. This allows you to pursue your own lawsuit at your expense against PPS and other Released Parties about the legal claims in this case.
OBJECT	Write to the Court about why you do not like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Have no opportunity for a payment. Give up rights.

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION..... Page 3

- 1. Why did I get this notice?
- 2. What is this lawsuit about?
- 3. Why is this a class action?
- 4. Why is there a Settlement?

WHO IS IN THE SETTLEMENT..... Page 3

- 5. How do I know if I am part of the Settlement?

THE SETTLEMENT BENEFITS – WHAT YOU GET Page 3

- 6. What does the Settlement provide?
- 7. How much will my payment be?

HOW YOU GET A PAYMENT..... Page 4

- 8. How do I apply for a payment?
- 9. When would I receive my payment?
- 10. What am I giving up to receive a payment or stay in the Class?

EXCLUDING YOURSELF FROM THE SETTLEMENT Page 4

- 11. How do I exclude myself from the Settlement?
- 12. If I don't exclude myself, can I sue Defendant for the same thing later?
- 13. If I exclude myself, can I get money from this settlement?

THE LAWYERS REPRESENTING YOU Page 5

- 14. Do I have a lawyer in this case?
- 15. How will the lawyers and class representative be paid?

OBJECTING TO THE SETTLEMENT Page 5

- 16. How do I tell the Court that I do not like the Settlement?
- 17. What is the difference between objecting and excluding/opting-out?

THE COURT'S FAIRNESS HEARING Page 6

- 18. When and where will the Court decide whether to approve the Settlement?
- 19. May I speak at the hearing?

IF YOU DO NOTHING..... Page 6

- 20. What happens if I do nothing at all?

GETTING MORE INFORMATION Page 6

- 21. How do I get more information?

BASIC INFORMATION

1. Why did I get a notice?

You received a notice because records indicate that, between and including November 18, 2012 through and including May 30, 2018, PPS may have left a direct-to-voicemail message on your cell phone.

2. What is this lawsuit about?

Plaintiff Morgan Taylor, on behalf of herself and a class of purportedly similarly situated people, alleges that PPS directed prerecorded “direct-to-voicemail” messages to cellular telephone numbers related to consumer debts in violation of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227(b). Plaintiff alleges the contacts were telephone calls made using technology that automatically places voice mail messages on cellular telephones without the cell phone ever ringing.

PPS expressly denies that it did anything wrong or that this case is appropriate for treatment as a class action. PPS also denies the allegations in the lawsuit.

3. Why is this a class action?

In a class action, one or more people called Class Representatives (in this case, Morgan Taylor), sue on behalf of people who have similar claims. All these people are a class or class members. One court resolves the issues for all class members, except for those who exclude themselves from the class. Judge Amy Totenberg is in charge of this class action.

4. Why is there a Settlement?

The Court did not decide in favor of either side; both sides agreed to this settlement instead of going to trial. That way, they avoid the significant cost of a trial, and the people affected will get compensation. The Representative Plaintiff and the attorneys think the settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT

5. How do I know if I am part of the Settlement?

The Settlement provides certain relief for all actual Settlement Class Members, who received PPS’ direct-to-voicemail messages. More formally, the class is described as:

The persons to whom a voicemail message was successfully transmitted to such person’s cellular telephone voicemail by Professional Placement Services, LLC through use of VoAPPs, where there was a coding change from “C to B” as to the cellular telephone number, where any such successful transmission was made between November 18, 2012 through and including May 30, 2018, limited to subscribers or regular users of the telephone numbers on the Class List during that period.

There are 19,134 unique cellular telephone numbers on which PPS left direct-to-voicemail messages that fall within this definition.

You received this notice because records indicate that you are likely a member of this Settlement Class. If you have questions about whether you are a Settlement Class Member, or are still not sure whether you are included, you can call 1-866-463-4347 or visit www.PPSTCPASettlement.com for more information.

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the Settlement provide?

PPS has agreed to create a settlement fund of \$1,700,000. This amount will be divided among all Settlement Class Members who send in a valid claim form after the costs of notice and administration, attorney’s fees and costs, and any incentive award have been deducted. PPS has also ceased the practice of leaving direct-to-voicemail messages on cell phones.

7. How much will my payment be?

If the settlement is approved as requested, it is estimated that each actual class member may receive \$500, but that amount could go up or down substantially based upon the number of valid claims and the Court’s decision as to the monetary terms of the settlement.

HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

8. How do I apply for a payment?

To qualify for payment, you must send in a valid claim form to the Settlement Administrator, who will verify your claim. You may have received a claim form as part of a mailing you received. You can also get a claim form on the internet at www.PPSTCPASettlement.com or by calling the Settlement Administrator at 1-866-463-4347 and requesting that a claim form be mailed to you. Read the instructions carefully, fill out the form, include all the information the form asks for, sign it, and mail it postmarked no later than **July 15, 2019**.

9. When would I receive my payment?

Judge Totenberg will hold a hearing on **August 29, 2019**, to decide whether to approve the settlement. Judge Totenberg may approve the settlement at the hearing or she may take some additional time to reach that decision, which may then be subject to an appeal to a higher court. It is always uncertain when such appeals can be resolved, and resolving them can take time, perhaps more than a year; hopefully much sooner. Please be patient.

If the payment is \$600 or more, we may request a W-9 from claimants in accordance to IRS regulations in order to process the payments.

10. What am I giving up to receive a payment or stay in the Class?

Unless you exclude yourself, you are staying in the class. If you stay in the class, then you cannot sue, continue to sue, or be part of any other lawsuit against PPS or any other Released Parties for similar claims that happened in the past. The exact release is available in the settlement agreement, which is posted at www.PPSTCPASettlement.com.

It also means that all of the Court's orders will apply to you and legally bind you. This is true whether or not you submit a Claim Form, although you won't get any money unless you submit a claim form. If you were to file your own lawsuit with regard to the claims at issue, you could potentially recover between \$500 and \$1,500 for each violation proven, plus you could obtain injunctive relief. However, in that case PPS would assert any and all defenses available to it in such a suit.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from this Settlement, and you want to keep the right to sue or continue to sue PPS on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement – also referred to as opting out of the Settlement Class.

11. How do I exclude myself from the Settlement?

To exclude yourself from the Settlement, you must send a letter that states you want to be excluded from *Taylor v. Professional Placement Services, LLC et al.*, Case No. 1:17-cv-00599-AT (N.D. Ga.). Be sure to include your full name, address, and telephone number(s). You must also include a statement that you wish to be excluded from the Settlement Class. **You must mail your exclusion request postmarked no later than June 10, 2019** to:

PPS TCPA Settlement Administrator
P.O. Box 404017
Louisville, KY 40233-9817

If you ask to be excluded, you will not get any Settlement Benefit, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) PPS and any other Released Parties in the future.

12. If I don't exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue PPS and related entities and companies involved in leaving direct-to-voicemail messages for the claims that this settlement resolves. If you have a pending lawsuit that may relate to the claims being released as part of this class settlement, you should speak to your lawyer in that case immediately. You must exclude yourself from this Class to continue your own lawsuit. Remember, the exclusion deadline is **June 10, 2019**.

13. If I exclude myself, can I get money from this Settlement?

No. If you exclude yourself, you cannot receive money from this Settlement. But, if you exclude yourself from this Settlement, you may sue, continue to sue, or be part of a different lawsuit against PPS and other Released Parties based on the legal issues in this case.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

The Court appointed the law firms of Burke Law Offices LLC in Chicago, Illinois, and Skaar & Feagle, LLP in Woodstock and Tucker, Georgia, to represent you and other Settlement Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers; they will be compensated as part of the settlement. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will the lawyers and class representative be paid?

Class Counsel will ask the Court to approve payment of up to one-third of the total settlement, or \$566,666.66, in attorneys' fees for investigating the facts, litigating the case, and negotiating the Settlement. Class Counsel will also seek their out-of-pocket costs expended in association with this matter (estimated to be no more than \$15,000), and an award of \$15,000 to Morgan Taylor for her services as Class Representative. The Court may award less than these amounts. PPS has not taken any position as to fees. These payments, along with the costs of administering the Settlement, will be deducted from the Settlement Fund.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

16. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. To object, you must send a letter to the Settlement Administrator and parties, and contemporaneously file it with the Court, saying that you object to the proposed Settlement in *Taylor v. Professional Placement Services, LLC et al.*, Case No. 1:17-cv-00599-AT (N.D. Ga.). You must include each of the following: (a) your full name, address, telephone number(s); (b) identification of which particular cellular telephone number(s) were asserted to receive a direct-to-voicemail message at issue; (c) a statement of all grounds for objection, and whether it applies only to you, to a specific subset of the class, or to the entire class; (d) all evidence or other support you wish the Court to consider; and (e) whether you were assisted or advised in the preparation of the objection by any attorney and, if so, the name and address of that attorney. **Your objection to the Settlement must be postmarked no later than June 10, 2019.**

The objection must be sent to:

For Filing:

Clerk of the Court
U.S. District Court for the
Northern District of Georgia
75 Ted Turner Drive, SW, Room 2211
Atlanta, GA 30303-3309

By Mail:

PPS TCPA
Settlement Administrator
P.O. Box 404017
Louisville, KY 40233-9817
Settlement Administrator

Alexander H. Burke
Burke Law Offices, LLC
155 N. Michigan Ave., Ste. 9020
Chicago, IL 60601
Attorney for Plaintiff

John C. Rogers
Carlock Copeland & Stair, LLP
P.O. Box 56887
191 Peachtree St. NE, Ste. 3600
Atlanta, GA 30343
Attorney for PPS

17. What is the difference between objecting and excluding/opting-out?

Objecting is simply telling the Court that you do not like something about the Settlement. You can only object if you stay in the Settlement Class. Excluding yourself or "opting out" is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

THE FAIRNESS HEARING

18. When and where will the Court decide whether to approve the Settlement?

The Court will hold a hearing to decide whether to approve the Settlement. This Fairness Hearing will be held at 10:30 a.m. on August 29, 2019 at the United States District Court for the Northern District of Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303-3309, in Courtroom 2308. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and whether to award attorneys' fees, expenses, and service awards as described above, and in what amounts. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long it will take the Court to issue its decision. It is not necessary for you to appear at this hearing, but you may attend at your own expense. To keep track of what is happening in the settlement proceedings, please regularly visit www.PPSTCPASettlement.com. Court documents and updates will be posted at that site.

19. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you send a letter saying that you object to the proposed settlement and that you intend to appear (either on your own behalf or through counsel) at the Fairness Hearing in *Taylor v. Professional Placement Services, LLC et al.*, Case No. 1:17-cv-00599-AT (N.D. Ga.). Be sure to include your full name, address, telephone number, the reasons you object to the Settlement and, if applicable, the full name, address and telephone number of your counsel. **Your letter must be postmarked no later than June 10, 2019.** You cannot speak at the hearing if you excluded yourself.

IF YOU DO NOTHING

20. What happens if I do nothing at all?

If you do nothing, you will not receive a payment. To receive a payment, you must submit a claim form. Unless you exclude yourself, you cannot start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against PPS about the legal issues in this case, ever again.

GETTING MORE INFORMATION

21. How do I get more information?

This notice summarizes the proposed Settlement. More details are in a Settlement Agreement. You can get a copy of the Settlement Agreement by writing to PPS TCPA Settlement Administrator, P.O. Box 404017, Louisville, KY 40233-9817 or by visiting www.PPSTCPASettlement.com.

You can call 1-866-463-4347, toll-free; write to PPS TCPA Settlement Administrator, P.O. Box 404017, Louisville, KY 40233-9817; or visit the website at www.PPSTCPASettlement.com where you will find answers to common questions about the Settlement, a claim form, plus other information to help you determine whether you are a Settlement Class Member and whether you are eligible for a payment.